App F IX 4

Previous References

1948-49
(ML)

File No 14-48
Serial Nos 19,20

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

P-9/E

Part B for Oct '48

SUBJECT

Defence of Land Acquisition Officer of the Bangalore Trust Board in Urban land acquisition Cases

To The Chairman, E I T B, Bangalore

No L 3713/B 9-10-48

Issues instructions

RSC-

App F IX 4

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GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

P-9/E

Part B for Oct '48

SUBJECT

Defence of Land Acquisition officer of the Bangalore Trust Board in Land land acquisition cases

To The Chairman, C I T B, Bangalore

No L 3713/A 9-10-48

Issues instructions

KSB

412 / 452/Land
Law

Letter No F 40/48 dt 14-7-48
from the chairman, C D T
Bombay Bangalore requesting
approval to the action
having engaged the services
of Messrs Pleasdee, Bangalore
to defend the acquisition
cases on behalf
of the Trust and in the event
of the Subordinate Judge
with a copy

submitted with a draft
letter approving the action taken
by the chairman in this
behalf this may also be submitted
to the Law Secy

Mr 15/7
15/7/48 2) I may be approved
Consultation with the
Law Secy

revised copy for
3) I agree 16/7/48

Minister
Finance & Revenue
Hon Law Secy

17/7/48

GENERAL & REVENUE SECRETARIAT
19 JUL 1948
LAW BRANCH

66

LAW DEPTT
17 JUL 1948

Submitted

4/ Kind attention is invited to rule 93 of the Manual of Rules for the Conduct of the Legal affairs of the Govt, according to which, in land Acqn cases, the Deputy Commissioner himself can arrange for the absence of the L.A.O and --prior sanction of Govt does not appear to be necessary.

5) In the present case, the Chairman, Trust Board, Bangalore could have himself arranged for the absence of the L.A.O attached to the Trust Board, and prior sanction of Govt or approval of Govt for the action taken by the chairman in having engaged the services of the GP Bangalore to defend the LAO does not appear to be necessary.

6) The attention of the chairman may be drawn to the above rule and he may be informed that in the land Acquisition cases

Defence of L-A o attached to the Trust Board Bangalore in Land acqn cases

U12

3

U) Law

A | Sanction of Govt is not necessary as the minister is as per rules empowered to arrange for the defence of the L A o attached to the Trust Board in the Land acquisition cases or otherwise

7) Submitted for orders (Rep paras 2 and 3 supra)

CBR 21/7 MM 21/7

8) Since the claimant has already taken action & has merely sought for approval of the Govt for the action taken & since there is no objection if the proposed drafts issuing we may inform him as at A

Law Secy) 21/7

CPI 21 JUL 1978

9) The attention of the claimants may be drawn to Rule 3 of deputation & that he should have previously consulted the A & H - Govt & informed his willingness to go on deputation - Revised draft U/C

BR 21/7 21/7

21/7

Defence of X A O attached
452/mk to the Bangalore Trust-Board

9) submitted with a draft letter to the chairman, Bangalore Trust Board, Refer para 9 supra

10) Phase put up a copy of the rules for the Conduct of Legal affairs of the Trust Board

11) These may perhaps be resubmitted to the L-Secy for formal defence

hra. 23/7 PL 23/7

12) No copy of the said Rules is available here the Law Secy may be requested to put up a copy

hra 26/7 PL 26/7 let a copy be put up from Secretariat Records

26/7

13) A copy of the rules for the conduct of the Legal Affairs is put up

14) As referred to at para 9 supra, no prior sanction is necessary to engage the services of

452/Rd Defence of Land Acqn Officer of the Bungalow
Trust vested in Land Acqn cases.

the Govt pleaders to defend the Land Acquisition cases – Vide ~~section~~ Rule 93 of the Rules referred to above

17) In the above circumstances, the draft letter already submitted in this behalf is for approval

Hon P. 4/8 If approved, 18) may be approved, as it is in accordance with the rule in this behalf, as framed at present by the Law Department above

6/8/48

19) May be approved

15412/16/8

Member for Finance & Industries

12/8

20) Approved

OFFICE OF THE MINISTER FOR FINANCE & INDUSTRIES.
No. 1051
Date 12.8.48

21) Board should be moved as far as possible to get the consent of the parties to the compensation and to hand over the land and if necessary Otherwise take money deposited

H.C.D. 17/9

21/9

In view of the above at paras 20 & 21 a revised draft is submitted

21/9/48

Hon 25/9

Govt 27/9/48

rel 14-48-19

IMMEDIATE

S 40/48

Office of the City Improvement Trust Board,
"Ranga Vilas", Seshadri Road,
Dated, Bangalore, the 14th July 1948

GENERAL & REVENUE SECRETARIAT
15 JUL 1948
452
& MUNICIPAL BRANCH

TO

JANAB SYED ABDUL ALEEM, B A ,
Secretary to Government,
Revenue Department,
Bangalore

SIR,

I have the honour to state that the Special Land Acquisition Officer attached to the Board reports that so far 31 cases have been referred to the concerned Civil Courts under Sec 18 (4) and under Sec 31 of the Land Acquisition Act and that notices have been received from the Courts of the Subordinate Judge posting 28 of these cases to the 20th instant It is further reported that applications for reference to Civil Courts under Sec 18 have also been since received and that they will also be referred to the Courts in the usual course.

2 It is necessary that these cases should be defended in the Courts and the services of the Government Pleader have to be engaged for the purpose I request that sanction of Government may kindly be obtained to engage the services of the Government Pleader to defend the cases on behalf of the Board in respect of the properties acquired for the several schemes of the Board In view of the urgency of the matter, I am asking the Government Pleader, Bangalore, to appear on behalf of the Special Land Acquisition Officer attached to the Board and defend the cases I request that the action taken by me in this behalf may also be kindly approved

I have the honour to be,
S i r,
Your most obedient servant,

C N Narasimhalu
CHAIRMAN

HR/gvm

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

d 3713/2 Mr 14748-20

To 9/10/48

The chairman,

C.D.T. Board,

Bangalore

Sir,

With reference to your letter No. J-40/48 dt 14-7-48 re engaging the services of govt pleader, Bangalore, to defend the Land Acquisition cases on behalf of the Trust Board, I am directed to invite your attention to rule 93 of the manual of Rules for the conduct of the Legal Affairs of the govt according to which no sanction of govt to the proposal in question is required on

WD 03697—GPB—30 000—2 2 40

by

necessary for the action
may be taken by you according to the
defence of the Land Acquisition officer
attached to the Trust Board in this
behalf

- In this connection, I am to
add that the Board consider that it would
be well as far as possible to
get the consent of the parties
to the compensation amounts
fixed by the Trust Board, as
otherwise both money & energy would
have to be spent

Yours faithfully
for
The Secretary
Bd. of Trustees

Notes ——————— 6 Pages

Correspondence — 3 Pages